

No Ruling Is Given On Local School Problem; Judge Will Study Case

March of Dimes Starts January 3

The 1955 March of Dimes campaign will get under way next Monday, Jan. 3, and continue throughout the month. Plans for the drive were made at a campaign dinner held Monday night at the Highlander Restaurant.

Chairmen and key workers from most sections of the county were present. Mrs. Virginia Layman,

chairman of the National Foundation for Infantile Paralysis for Highland County, which is conducting the local drive, presented a detailed report on 1954 activities of the chapter.

The chairman reported that a total of \$10,388.72 had been spent during the past year in aid to 13 polio patients from this county. This was the most cases that have ever occurred in the county in one year. There were believed to be two or three other cases which were not aided by the chapter.

During her report, Mrs. Layman said:

"At this time our funds are exhausted and bills are being held until the January collections. Expenditures have included doctor bills, hospital bills, wheelchairs, crutches, braces, and ambulance fees. Our foundation is happy to be able to be of service to these families."

"Noting the advances made in study of the Salk trial polio vaccine," Mrs. Layman said, "we open the 1955 drive with bright prospects for eventually conquering polio. In the meantime we must continue care of patients already stricken."

Mrs. Layman stated that "The 1955 campaign will reach schools, clubs, and all civic organizations and business establishments. Mothers will march from door to door throughout all villages and towns of this county on January 27. Over 4,000 rural boxholders are being mailed from headquarters here to those families not reached by the Mother's March."

Dog Tag Sale Slow; 200 Are Sold to Date

Approximately 200 dog tags have been sold in this county since the

Judge Takes Case Under Advisement

The fate of the Hillsboro school case brought in U. S. District Court at Cincinnati, after a second hearing in three months, rested today in the hands of the court's jurist, Judge John H. Druffel. Nothing but speculation surrounded the next move in the case.

The second hearing in the case was held Wednesday in Druffel's court, exactly three months from the initial proceedings on Sept. 29. Hillsboro school officials again appeared as witnesses.

After testimony by the witnesses, which covered much of the same ground as in the previous trial, and brief arguments by both plaintiffs and defendants, the judge recessed the court "until you hear from me."

The Sixth District Court of Appeals, several weeks ago, had ordered Druffel to show cause by Jan. 1 why he should not rule immediately on the suit, filed by five Negro mothers here, charging school segregation.

WHETHER DRUFFEL would meet the Jan. 1 deadline was also speculative. The jurist did not indicate publicly when he might act on the appeals court's order. However, there was some basis for the assumption that he wished to study the written record of Wednesday's hearing when he asked the court reporter when the transcript would be completed. The reporter replied "in about three weeks."

At the September hearing, the judge said he would not issue a ruling until the Supreme Court handed down a desegregation order spelling out how the problem should be solved. Attorneys for the National Association for the Advancement of Colored People said the court should rule immediately because of differences between the Hillsboro situation and the South. They petitioned the Sixth Circuit Court of Appeals to make Druffel issue the ruling. The Wednesday hearing, apparently to

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Meeting Held On New Watershed

State Officials Tell Farmers of Plans

State and county officials met at Fayetteville Monday afternoon to discuss the proposed small watershed involving sections of the four counties of Highland, Brown, Clinton and Clermont Counties.

Representatives of soil boards in all four counties attended the session, held at Fayetteville High School, along with three men from Ohio Department of Natural Resources, including A. W. Marion, director; V. W. Flickinger, chief of the Division of Parks, and John Ferguson, head of the lands and soils department.

The watershed, known tentatively as the East Fork-Little Miami Watershed, if carried out, would come under terms of a new bill passed by the last Congress, the Hope-Aiken bill. Under its terms, the government of each state involved must approve any application made by area groups to establish a watershed. In this case, Governor Frank Lausche has turned over the details of such approval to the Ohio Department of Natural Resources, which is most vitally concerned with flood prevention and water management.

NO SPECIFIC ACTION was taken during the session other than the

No Ruling

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elaborate earlier points of testimony, resulted.

Druffel gave no definite impression as to how he might act in the case. However, at one point in the litigation, he fired a barrage of questions on his own about the fire set by Philip Partridge at the Lincoln school, concluding with the statement that he wanted it on the record for the benefit "of the court of appeals."

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WHILE THIS might be open to varied interpretation, some observers thought it might presage—and it is merely assumption—Druffel setting another continuance as he did after the previous hearing. Others were predicting that he would render a decision along these lines: Ordering the board to integrate the pupils but either setting no time limit or giving them a period up to the completion of new buildings to complete integration.

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THE PROCEEDINGS opened Wednesday at 10 A. M., in Druffel's court with a statement from the NAACP'S chief attorney, Mrs. Constance B. Motley, of New York City. She re-defined that side of the case, saying that the rezoning action of the board back on Sept. 13, sent the children involved to a racially-segregated school (Lincoln); that the zoning was on the basis of race and that alone. Druffel asked if testimony would supplement previous evidence and she replied that it would.

Marvel Wilkin, president of the Hillsboro board of education, was summoned first. A map showing the rezoning was submitted in evidence and most of the questioning of Wilkin by Mrs. Motley centered on the Lincoln school zone, with attempts to prove that it was done along racial lines. Wilkin testified that it was merely an effort to keep children in virtually the same schools and to avoid crowded conditions until new buildings are finished. Wilkin said that several Negro children preferred to attend Lincoln School. Others have remained away from classrooms altogether since the litigation began, he added.

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the adults of the community. "If the situation had been left alone," he added, "there would have been no problem at all."

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AFTER A recess, Judge Druffel began his quiz on the fire at Lincoln on July 5, directing questions at Upp over plaintiffs' objections. The judge apparently wanted to clarify in his own mind how the action of Partridge entered the picture, or if it did. He indicated that he knew the former county engineer was now serving a prison term for setting fire to Lincoln School. This was the testimony he said he wanted inserted in the record for the "purpose of the court of appeals." Upp told the judge directly that he was concerned over the feeling of the grown-ups in Hillsboro and the general tenor of the community in regard to the situation and that he had tried to judge and evaluate all these factors in his decisions.

Upp was followed by Mrs. Helen Ash, teacher at Lincoln School, subpoenaed as a defense witness. She said she had taught at Lincoln "on and off" for about 22 years. Principal fact brought out by her brief testimony was that she had never had a white student enrolled at Lincoln during her period of teaching there. She preceded Dr. R. F. Campbell, Ohio State University professor, a previous witness, to the stand. He reiterated results of a survey he made here.

Elmer Hedges, vice president of the local board, also appeared briefly. He told of attempting, in an official capacity, to negotiate a trade of the colored church on the corner of the Washington School lot for the Lincoln School. This action was taken prior to the Lincoln fire. It was an attempt, as the judge interpreted it personally, over plaintiffs' objections, to show the "good faith of the board" in abandoning Lincoln eventually.

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ARGUMENTS followed this. Counsel for the plaintiffs reiterated that it was definitely segregation in Hillsboro in violation of the federal constitution and asked immediate relief. Druffel interjected brief comment here, speaking to Mrs. Motley:

"These are inherited conditions since days of Civil War. They

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UNDER cross-examination Wilkin said the resolution did not specify either colored or white children. At this point the judge was presented a copy of the resolution outlining the zoning. Druffel also interjected the question as to whether colored children were now attending the previously all-white Washington and Webster Schools. Wilkin replied that eight were attending at Washington and four at Webster. "By their own choice?" the judge asked. Wilkin replied, "Yes."

Superintendent Paul L. Upp of Hillsboro Schools then took the stand and was questioned by Attorney Russell L. Carter of the NAACP. Upp testified that the elementary problem, as he saw it, was "not racial... not a question of segregation." The superintendent said he would admit that there is "partial, temporary segregation, pending construction of new elementary schools."

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UPP SAID that he had presented to the board what he thought was a "sane, dignified plan of integration—one that could be followed throughout the United States." He said that to his knowledge there had never been any segregation in the high school. "It was done in the high school and it will be done in the elementary school. Our problem is not racial. If we had the buildings we would move these plaintiffs into them immediately."

The judge, who got into the questioning act of Upp quite frequently, asked, "Will Lincoln be torn down or abandoned after new buildings go up and will pupils be integrated then?" The superintendent said he had recommended that to the board and would continue to do so.

Under further questioning by Carter, Upp said that no problem existed as far as the relationship of the white children with the colored children, but that it lay with

...since days of Civil War. They (Hillsboro board) recognize segregation is unlawful and are building schools to meet that need. They have passed a resolution to integrate these pupils in the new schools. There is complete integration in the high school. Are they entitled to any credit for this?"

The attorney said that other schools here are not unreasonably overcrowded and that the integration could be done now at no great inconvenience to the board. She said the pupils, if they attended Lincoln, would be denied two years of "equal education." Druffel said he could not fully agree since Mrs. Ash appeared to be a capable teacher. He added that if the plaintiffs' children were admitted then those now attending Lincoln would also have that right.

James Hapner, board attorney, pointed out in rebuttal that all elementary schools here now have colored children attending them and questioned the existence of actual segregation.

Submission of a brief by the plaintiffs concluded the hearing, lasting until 12:30 P. M.

Girl Given Driving Rights Suspension

Mary Shaw, 17, New Market, was given a 10-day driving rights suspension, Thursday, when she appeared in Juvenile Court on charges filed by city police.

The girl was charged with driving an auto with only one headlight, and with driving on a corrective license without taking the steps necessary to make the license valid.

INJURES HAND

Pauline Helterbran, 40, Hillsboro Rt. 3, was treated at the Highlands Community Hospital at 4:17 P. M., Tuesday, after she caught her right hand in the elevator door at the Morris 5-10 cent store, where she is employed. She was released after treatment.